

TOWN OF DAVIE
TOWN COUNCIL AGENDA REPORT

TO: Mayor and Councilmembers

FROM/PHONE: Evelyn Roig/Assistant Town Clerk

PREPARED BY: Evelyn Roig/Assistant Town Clerk

SUBJECT: Minutes

AFFECTED DISTRICT: N/A

ITEM REQUEST: Schedule for Council Meeting

TITLE OF AGENDA ITEM: March 23, 2010 (Regular Meeting Minutes)

REPORT IN BRIEF: Town Council Meeting Minutes for March 23, 2010

PREVIOUS ACTIONS:

CONCURRENCES:

FISCAL IMPACT: not applicable

Has request been budgeted? n/a

Additional Comments:

RECOMMENDATION(S): Motion to approve resolution

Attachment(s): March 23, 2010 Meeting Minutes

**March 23, 2010
7:30 PM**

1. PLEDGE OF ALLEGIANCE

The meeting was called to order at 7:30 p.m. and was followed by the Pledge of Allegiance.

2. ROLL CALL

Present at the meeting were Mayor Paul, Vice-Mayor Crowley and Councilmembers Caletka, Luis and Starkey. Also present were Town Administrator Shimun, Town Attorney Rayson and Town Clerk Muniz recording the meeting.

3. INVOCATION

Pastor Mark Coleman from New Life Baptist Church gave the invocation. He thanked Council for approving their site plan proposal recently.

4. CERTIFICATION OF RESULTS

Town Clerk Muniz read the certified results and announced that Caryl Casey-Hattan had been elected in District 2, Councilmember Starkey had been re-elected in District 3, and Councilmember Luis had been re-elected in District 4.

Vice-Mayor Crowley made a motion, seconded by Councilmember Caletka, to approve. In a roll call vote, the vote was as follows: Mayor Paul - yes; Vice-Mayor Crowley - yes; Councilmember Caletka - yes; Councilmember Luis - yes; Councilmember Starkey - yes. (Motion carried 5-0)

5. OUTGOING COUNCILMEMBER'S MESSAGE

Vice-Mayor Crowley said he loved the Town and it had been an honor to serve. He thanked everyone with whom he had worked with at the Central Broward Water Control District for having no objection to his service on the Davie Town Council. Vice-Mayor Crowley also thanked Councilmembers with whom he had served, the Town Administrator, and Town employees.

Vice-Mayor Crowley said he would continue to be involved with Old Davie School. He stated he would continue to fight against any merger of the Town's police and fire departments with Broward Sheriff's Office (BSO). Regarding the Pet Paradise Resort, Vice-Mayor Crowley felt there was a "big problem over there" and he urged Council to take a close look at this when it came before them.

Mayor Paul presented Vice-Mayor Crowley with a plaque commemorating his service to the Town.

6. RECESS

7. OATH OF OFFICE

All elected Councilmembers were sworn in.

8. SELECTION OF VICE-MAYOR

Mayor Paul passed the gavel in order to make a motion.

Mayor Paul made a motion, seconded by Councilmember Caletka, to name Councilmember Starkey Vice-Mayor. In a voice vote, all voted in favor. (Motion carried 5-0)

Council took a brief recess.

9. INCOMING COUNCILMEMBER'S COMMENTS

Councilmember Hattan thanked those who had helped get her elected and supported her.

Vice-Mayor Starkey said she was honored to serve the people of Davie. She remarked that the coming years would present challenges, and stated Council should reach consensus in the interest of the residents. Vice-Mayor Starkey thanked her family for "sharing" her with the Town.

Councilmember Luis stated that his campaign had been both humbling and rewarding. He thanked everyone who had shown confidence in him, and promised to work hard to preserve their lifestyle and protect their wallets. Councilmember Luis thanked his wife and daughter for their support and Mayor Paul for her encouragement and support.

Mayor Paul advised staff requested item 12.1 be withdrawn.

Mayor Paul requested adding item 15.1 to New Business.

Vice-Mayor Starkey made a motion, seconded by Councilmember Caletka to add item 15.1. In a voice vote, all voted in favor. (Motion carried 5-0)

Councilmember Caletka pulled items 10.9, 10.24, 10.25 and 10.26 from the Consent Agenda. Vice-Mayor Starkey pulled item 10.13. Mayor Paul pulled item 10.4.

Councilmember Luis made a motion, seconded by Councilmember Hattan, to approve the Consent Agenda, less items 10.4, 10.9, 10.13, 10.24, 10.25 and 10.26. In a voice vote, all voted in favor. (Motion carried 5-0)

10. APPROVAL OF CONSENT AGENDA

Minutes

10.1 February 3, 2010 (Regular Meeting)

10.2 February 17, 2010 (Regular Meeting)

Proclamations

10.3 Water Conservation Month

10.4 Surveyors and Mappers Week Proclamation (March 21 - 27, 2010)

Home Business Tax Receipts

10.5 D & D Aluminum Distributors of Davie.

10.6 Boat Security Products, 13141 SW 30 Ct.

Resolutions

10.7 **BID** - A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, AUTHORIZING THE APPROPRIATE TOWN OFFICIALS TO

ACCEPT THE BID RECOMMENDATION FOR SUPPLY AND INSTALLATION OF AIR CONDITIONING UNITS (\$32,390.82)

- 10.8 **AGREEMENT** - A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, AUTHORIZING THE APPROPRIATE TOWN OFFICIALS TO ENTER INTO AN AGREEMENT WITH THE STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION (FDOT) FOR UTILITY WORK IDENTIFIED AS UNIVERSITY DRIVE, STATE ROAD NO. 817; AND PROVIDING FOR AN EFFECTIVE DATE. (\$30,000)
- 10.9 **AGREEMENT** - A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, AUTHORIZING THE MAYOR TO EXECUTE AN AGREEMENT WITH TRAN CONSTRUCTION, INC. TO INSTALL AND CONNECT SEWER LATERALS TO INCOME ELIGIBLE RESIDENTS IN THE TOWN'S EASTERN CDBG TARGET AREA AND PROVIDING FOR AN EFFECTIVE DATE.
- 10.10 **AGREEMENT** - A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, AUTHORIZING THE MAYOR TO EXECUTE A SERVICE PROVIDER AGREEMENT WITH MS5L, INC. TO PROVIDE PHASE I ENVIRONMENTAL ASSESSMENT SERVICES UNDER THE TOWN'S NEIGHBORHOOD STABILIZATION PROGRAM (NSP) AND PROVIDING FOR AN EFFECTIVE DATE.
- 10.11 **AGREEMENT** - A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, AUTHORIZING THE MAYOR TO EXECUTE A SERVICE PROVIDER AGREEMENT WITH LAND DESIGN SOUTH OF FLORIDA, INC. TO PROVIDE PHASE I ENVIRONMENTAL ASSESSMENT SERVICES UNDER THE TOWN'S NEIGHBORHOOD STABILIZATION PROGRAM (NSP) AND PROVIDING FOR AN EFFECTIVE DATE.
- 10.12 **AGREEMENT** - A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, AUTHORIZING THE MAYOR TO EXECUTE AN AGREEMENT WITH INNER URBAN ASSET MANAGEMENT OF FT. LAUDERDALE, LLC TO PROVIDE ACQUISITION, REHABILITATION, AND RENTAL HOUSING SERVICES UNDER THE TOWN'S NEIGHBORHOOD STABILIZATION PROGRAM (NSP) AND PROVIDING FOR AN EFFECTIVE DATE.
- 10.13 **AGREEMENT** - A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, AUTHORIZING THE MAYOR TO APPROVE AND AUTHORIZE THE BID SELECTION AND EXECUTE A ONE (1) YEAR PROPERTY/INLAND MARINE LIABILITY PARTICIPATION AGREEMENT WITH THE PREFERRED GOVERNMENTAL

INSURANCE TRUST (PGIT), PROVIDING FOR PROPERTY/INLAND MARINE LIABILITY INSURANCE COVERAGE TO BE EFFECTIVE APRIL 1, 2010 TO APRIL 1, 2011, AND AUTHORIZING THE MAYOR TO EXECUTE ALL ATTACHED DOCUMENTS. (\$595,943/YEAR)

- 10.14 **EXPENDITURE** - A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, AUTHORIZING THE EXPENDITURE OF FUNDS FROM THE POLICE DEPARTMENT'S STATE FORFEITURE FUND ACCOUNT IN THE AMOUNT OF \$2500.00 FOR A DONATION TO THE DRUG FREE YOUTH IN TOWN INC. (D-FY-IT) ORGANIZATION.
- 10.15 **EXPENDITURE** - A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, AUTHORIZING THE EXPENDITURE OF FUNDS FROM THE POLICE DEPARTMENT'S STATE FORFEITURE FUND ACCOUNT IN THE AMOUNT OF \$2,000.00 FOR A DONATION TO THE BROWARD COUNTY CRIME STOPPERS.
- 10.16 **FEES** - A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, ESTABLISHING A FEE FOR BACKFLOW RECERTIFICATION PERMITS; AND PROVIDING FOR AN EFFECTIVE DATE.
- 10.17 **GRANT** - A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, AUTHORIZING THE DAVIE POLICE DEPARTMENT TO PARTICIPATE IN THE JAG PROGRAM WITH THE BROWARD SHERIFF'S OFFICE AS THE LEAD AGENCY TO RECEIVE A \$30,224.00 GRANT FROM THE U.S. DEPARTMENT OF JUSTICE FOR LAW ENFORCEMENT PROGRAMS, AND AUTHORIZING ACCEPTANCE AND EXECUTION OF THE GRANT, IF AWARDED.
- 10.18 **GRANT/ACCEPTANCE** - A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, AUTHORIZING THE APPLICATION FOR A \$200,000 GRANT FROM THE LAND AND WATER CONSERVATION FUND FOR THE DEVELOPMENT OF RECREATIONAL FACILITIES AT THE DAVIE WETLAND PRESERVE AND AUTHORIZING ACCEPTANCE AND EXECUTION OF THE GRANT, IF AWARDED (WITH \$200,000 MATCHING FUNDS).
- 10.19 **MEMORANDUM OF UNDERSTANDING** - A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, AUTHORIZING THE MAYOR TO EXECUTE A MEMORANDUM OF UNDERSTANDING (MOU) BETWEEN THE TOWN OF DAVIE AND BROWARD COUNTY FOR THE EXPENDITURE OF 2009/10 HOME INVESTMENT PARTNERSHIP PROGRAM (HOME) FUNDS IN THE TOTAL AMOUNT OF \$203,871.00 TO PROVIDE FOR CLOSING COSTS AND

DOWN PAYMENT ASSISTANCE FOR FIRST-TIME HOMEBUYERS
AND PROVIDING FOR AN EFFECTIVE DATE.

- 10.20 **SUPPORT** - A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, JOINING BROWARD COUNTY CITIES IN SUPPORT OF EARTH HOUR 2010 ON MARCH 27, 2010 AND URGING ALL INDIVIDUALS, BUSINESSES, AND GOVERNMENTS IN THE TOWN OF DAVIE TO TURN OFF ALL NON-ESSENTIAL LIGHTING ON THIS DATE BETWEEN 8:00 PM AND 9:00 PM.
- 10.21 **SUPPORT** - A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, SUPPORTING AN AMENDMENT TO THE COMPREHENSIVE PLAN WHICH WILL SEEK TO ACHIEVE A THIRTY PERCENT OR MORE TREE CANOPY COVERAGE BY 2030; PROVIDING FOR AN EFFECTIVE DATE.
- 10.22 **SUPPORT** - A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, SUPPORTING AND ACKNOWLEDGING THE IMPORTANCE OF THE 40TH ANNIVERSARY OF EARTH DAY APRIL 22, 2010 AND ENCOURAGING TOWN OF DAVIE RESIDENTS TO RECOGNIZE THE IMPORTANCE OF THIS EVENT AND PROVIDING FOR AN EFFECTIVE DATE.
- 10.23 **OPPOSITION** - A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF DAVIE, FLORIDA, EXPRESSING ITS OPPOSITION TO OFFSHORE OIL AND NATURAL GAS DRILLING IN FLORIDA WATERS AS HAVING A DELETERIOUS IMPACT ON FLORIDA'S ENVIRONMENTAL AND ECONOMIC RESOURCES; OPPOSING HM563 REMOVING THE MORATORIA ON OFFSHORE DRILLING IN FLORIDA; DIRECTING THE TOWN CLERK TO TRANSMIT A COPY OF THIS RESOLUTION TO VARIOUS STATE AND FEDERAL OFFICIALS.
- 10.24 **SUPPORT** - A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, SUPPORTING A NEW COMPOSITION FOR THE RESOURCE RECOVERY BOARD IN THE PROPOSED NEW INTERLOCAL AGREEMENT THAT PROVIDES REPRESENTATION FROM EACH SOLID WASTE DISPOSAL CONTRACT COMMUNITY; AND PROVIDING FOR AN EFFECTIVE DATE.
- 10.25 **PLAT** - A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, APPROVING A PLAT KNOWN AS "DAVIE COMMUNITY FACILITIES V" AND AUTHORIZING THE MAYOR AND TOWN CLERK TO ACKNOWLEDGE THE APPROVAL BY AFFIXING THE MAYOR'S SIGNATURE AND THE TOWN SEAL TO SAID PLAT;

AND PROVIDING AN EFFECTIVE DATE. (P 11-1-09, Davie Community Facilities V, *P & Z Board recommended approval*)

10.26 DELEGATION REQUEST - A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, APPROVING A DELEGATION REQUEST TO CHANGE THE RESTRICTIVE NOTE ON THE PLAT KNOWN AS "I-595 COMMERCE CENTER," AND PROVIDING AN EFFECTIVE DATE. (DG 11-2-09, I-595 Commerce Center, 3020 SW 61 Avenue)

11. DISCUSSION OF CONSENT AGENDA ITEMS

10.4 Mayor Paul requested this item be tabled to the first meeting in April because Mr. McLaughlin could not be present to accept the proclamation. Vice-Mayor Starkey made a motion to table this item to the first meeting in April. Motion died for lack of a second.

Councilmember Hattan noted that the week referred to in the proclamation was March 21st through 27th, so tabling the item would miss the target date.

Councilmember Caletka read the proclamation.

Councilmember Caletka made a motion, seconded by Vice-Mayor Starkey, to approve. In a voice vote, all voted in favor. (Motion carried 5-0)

10.9 Councilmember Caletka requested this item be tabled because the contract read that only those who qualified for the CDBG Grant would have the Town hook up the sewer lines. Housing Director Giovanni Moss had requested the company extend installation to everyone.

Councilmember Caletka made a motion, seconded by Councilmember Luis, to table to the next meeting. In a voice vote, all voted in favor. (Motion carried 5-0)

10.13 Vice-Mayor Starkey asked if this would go out to bid in the next few months. Staff explained that this was property insurance which was renewed annually on the 1st of April. Their agent had put this out to bid and was recommending PGIT.

Vice-Mayor Starkey made a motion, seconded by Councilmember Hattan, to approve. In a voice vote, all voted in favor. (Motion carried 5-0)

10.24 Councilmember Caletka was concerned that if they moved forward with this, they risked losing their representation. He felt that Davie deserved a permanent seat on the Resource Recovery Board and this did not guarantee that. Councilmember Caletka requested tabling this item to the next meeting to allow him time to perform additional research. Mayor Paul recommended the language be edited to affirm that every municipality would have equal representation. Councilmember Caletka said this had been confusing, but upon further review, he felt it did indicate municipalities would be represented.

Councilmember Caletka made a motion, seconded by Vice-Mayor Starkey, to approve. In a voice vote, all voted in favor. (Motion carried 5-0)

10.25 Councilmember Caletka said he was expecting that since they now had land for utilities, this was where the water treatment facility would go. He did not like

the restriction on this plat, he stated that this would be limited to municipal water and water reclamation.

Vice-Mayor Starkey made a motion, seconded by Councilmember Hattan to approve. In a voice vote, all voted in favor with Councilmember Caletka and Councilmember Luis dissenting. (Motion carried 3-2)

10.26 Councilmember Caletka said this would be pro-rated so the property the Town acquired would receive some residential units and some commercial space, but he felt this would “pretty much empty out” the residential units available in the RAC. He did not feel it was anyone’s intent to put residential development on this land, and pointed out that this would not be possible on the park portion of the land, because this had been purchased with District 1 Open Space Bond Fund money. Councilmember Caletka wanted to amend this to indicate that the applicant had received the pro-rated share of residential and commercial for which he had applied and that no more would be granted to the Town’s piece of property. This way, the bank of residential and commercial units would still be there for the RAC.

Mayor Paul asked what the pro-rated number of residential units would be on the remaining 17.5 acres. She noted that the plat could always be changed later on. Planning and Zoning Manager David Quigley confirmed that the plat note was a County process and in the future, the property owner could request the plat note be changed.

Jeff Katims, representing the applicant, explained that the number of residential units was 19% of 944 units that would be allocated to the Town’s portion. Mayor Paul said there would be no need to allocate on land that would be a park or for land that would be a water plant. Mr. Shimun stated the units allocated to the Town had a value. Mr. Rayson noted that this property was unrestricted. He reminded Council that the property was much more valuable with the units than without the units. Mr. Rayson said they did not need to make the decision now; they could give away the units any time they desired. The market value of the property was enhanced by the inclusion of 190 buildable units.

Mr. Caletka pointed out that the property would be a park, and wondered if it was legal to delegate buildable units for park property. He said if they intended to turn the park into residential property, he wanted to use general fund money, not District 1 park money. Mr. Shimun explained that they were not planning on putting any residential units on 7.5 acres, but if they had a 25-acre parcel allotted with 180 units, they could “do a ... planned unit development where you put most of the housing on another section and you include the acreage of the park in there but you’re not building anything on it.” Councilmember Caletka thought that voting for delegating the residential units indicated that potentially, in the future, they might put residential development there. On all of the other parkland, they had been restricting the land in perpetuity for a park. He added that the consequence would be that it would “zero out” the RAC residential units and none would be available. This would necessitate passing a land use amendment in the RAC for more residential units.

Councilmember Caletka made a motion, seconded by Vice-Mayor Starkey, to table this item to the next meeting. In a voice vote, all voted in favor. (Motion carried 5-0)

Mayor Paul asked staff to consider allocating a proportionate amount on the 17.5 acres, excluding the park, and to include this information in Council's backup.

12. PUBLIC HEARING

Resolution

- 12.1 **CAPITAL IMPROVEMENT PROGRAM AMENDMENT - A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, AMENDING THE CAPITAL IMPROVEMENT PROGRAM FOR THE TOWN OF DAVIE FOR FISCAL YEARS 2010-2014. (tabled from March 3, 2010) (\$10,814,080).**

Mayor Paul advised that staff had requested this item be withdrawn.

Ordinance - Second and Final Reading

- 12.2 **BUDGET AMENDMENT - AN ORDINANCE OF THE TOWN OF DAVIE, FLORIDA, AUTHORIZING AN AMENDMENT TO THE ESTIMATED REVENUES AND APPROPRIATIONS FOR FISCAL YEAR 2010; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.{Approved on first reading on March 3, 2010. The vote is as follows: Mayor Paul - yes; Vice Mayor Crowley: yes; Councilmember Caletka: no; Councilmember Luis: yes; Councilmember Starkey: no}(Motion carried 3-2)**

Mr. Rayson read the ordinance by title.

Mayor Paul opened the public hearing portion of the meeting. As no one spoke, Mayor Paul closed the public hearing portion of the meeting.

Councilmember Luis made a motion, seconded by Councilmember Hattan, to approve. In a roll call vote, the vote was as follows: Mayor Paul - yes; Vice-Mayor Starkey - no; Councilmember Caletka - no; Councilmember Hattan - yes; Councilmember Luis - yes. (Motion carried 3-2)

Ordinance - First Reading (Second and Final Reading to be held on April 7, 2010)

- 12.3 **CODE AMENDMENT - AN ORDINANCE OF THE TOWN OF DAVIE AMENDING CHAPTER 6 OF THE CODE OF THE TOWN OF DAVIE ENTITLED "CODE ENFORCEMENT SPECIAL MAGISTRATE" BY CREATING ARTICLE II, ENTITLED "THE MINIMUM HOUSING AND PROPERTY MAINTENANCE STANDARDS CODE OF THE TOWN OF DAVIE.**

Mr. Rayson read the ordinance by title.

Mayor Paul announced that second reading of the ordinance would be held on April 7, 2010. She opened the public hearing portion of the meeting. As no one spoke, Mayor Paul closed the public hearing portion of the meeting.

Mayor Paul stated the CRA had sought this since she was elected. Code Compliance Official Danny Stallone thanked the CRA for initiating this, and said it

would be a very valuable tool because it brought together all entities with enforcement capability. He remarked it had been a great step forward to incorporate code enforcement with the police department and it provided a comprehensive approach. Mr. Stallone had prepared a document defining the 10 most significant issues this ordinance addressed.

Vice-Mayor Starkey felt this was a very good plan, and thanked Mr. Stallone for working on it.

Mayor Paul noted that the “inspection warrant” gave “real teeth” to Mr. Stallone’s work. She asked what had been done to “tighten up” the special magistrate process. Mr. Stallone explained that they had created the citation process that encouraged a respondent to comply while the case was under the jurisdiction of a special magistrate. He said they now had a spectrum of tools and options to employ.

Councilmember Caletka felt this was “one of the best things that I’ve ever seen come forward through the Town Council.”

Councilmember Caletka made a motion, seconded by Vice-Mayor Starkey, to approve. In a roll call vote, the vote was as follows: Mayor Paul - yes; Vice-Mayor Starkey - yes; Councilmember Caletka - yes; Councilmember Hattan - yes; Councilmember Luis - yes. (Motion carried 5-0)

13. APPOINTMENTS

13.1 Vice Mayor Crowley/Councilmember Hattan

13.1.1 Youth Education and Safety Advisory Committee (one exclusive appointment - term expires April 2010) (members shall, whenever possible, have interest and expertise in law enforcement, elementary school instruction, education matters, child psychology, pediatric medicine, parenthood and grandparenthood)

Councilmember Hattan asked if she must resign from the Parks and Recreation Board. Mr. Rayson believed there was an Attorney General opinion requiring a member of Town Council to resign from an advisory board if the board made recommendations to the Council. Councilmember Hattan agreed to resign.

No appointment was made.

13.1.2 Open Space Advisory Committee Agency (one exclusive appointment - term expires April 2010)

No appointment was made.

13.2 Councilmember Luis

13.2.1 Youth Education and Safety Advisory Committee (one exclusive appointment - term expires April 2010) (members shall, whenever possible, have interest and expertise in law enforcement, elementary school instruction, education matters, child psychology, pediatric medicine, parenthood and grandparenthood)

No appointment was made.

14. OLD BUSINESS

15. NEW BUSINESS

15.1 Sunnyslake Farms Non-Conforming Property

Mayor Paul said the way this area was originally set up, there were many non-conforming lots. Residents had been upset because an 18,000 square foot lot had been granted a permit to build and the owner had cleared the site, including an old oak tree. Mayor Paul wondered how the property could meet the water retention requirements set by the County. She had been researching this issue and said she had questions. Mayor Paul requested that they “delay any further movement on this property until: 1. We can get a legal opinion in reference to this and 2. We have a meeting with the residents.” She felt the residents in the area “deserve the right to have at least some Town staff meet with them and explain what’s going on, explain the process, explain how this happened...”

Councilmember Luis made a motion, seconded by Councilmember Hattan, to delay this project until they could get a legal opinion and a meeting with the residents on this issue. In a voice vote, all voted in favor. (Motion carried 5-0)

Mr. Rayson advised Council to provide him with as much background on this issue as possible. He would also ask Town staff how the permits had been granted.

16. SCHEDULE OF NEXT MEETING

16.1 Purchasing Workshop - May 19, 2010

Council agreed the workshop would be held on May 19th at 6 p.m. at Town Hall.

16.2 New Town Hall Workshop

Council agreed the workshop would be held on April 14th at 5 p.m. at Town Hall.

16.3 Vision & Goal Setting Workshop

Council agreed the workshop would be held on April 16th at 9 a.m. at Nova Southeastern University.

17. MAYOR/COUNCILMEMBER’S COMMENTS COUNCILMEMBER CALETKA

STATE LEGISLATURE. Councilmember Caletka and Mayor Paul had gone to Tallahassee to lobby the legislature and Councilmember Caletka reported that the legislature would “say no to everything we want and then on top of it tell us they’re cutting some of their funding for the things that they currently fund.” Councilmember Caletka added that legislators had refused to meet, which he felt was an indication that “they didn’t have a leg to stand on to defend their crappy positions so they just decided not to face the truth one on one.”

THANKS TO THE COMMUNITY REDEVELOPMENT AGENCY (CRA) FOR ACTION ON 61st. Councilmember Caletka thanked the CRA for acting on 61st.

CONGRATULATIONS TO WINNERS OF ELECTIONS. Councilmember Caletka congratulated the winners of the Town election, and said he appreciated the efforts they made on behalf of the community.

COUNCILMEMBER HATTAN

SPECIAL TRAINING FOR POLICE DEPARTMENT. Councilmember Hattan had some ideas for training the police department for working with autistic adults and requested training with someone from Nova Southeastern University.

THANKS TO COUNCIL AND STAFF. Councilmember Hattan thanked Council and

Town staff for help they had given her. She also thanked her brother and sister-in-law for traveling across the state to swear her in.

VICE-MAYOR STARKEY

OWLS LOOKOUT PARK. Vice-Mayor Starkey reported three artificial starter burrows had been created in the park. She distributed photos of the burrows and said they had two new owls at the park. They had partnered with The Sierra Club, the National Audubon Society, Project Perch and with the Indian Ridge Middle School, which had parents and kids come to the site. Vice-Mayor Starkey said there would be an official groundbreaking sometime in July.

FOREST RIDGE RESURFACING PERMIT. Vice-Mayor Starkey referred to a Forest Ridge resurfacing project and the 10% increase in permit fees and remarked that, “I don’t think that we really intended it to be that much when you look at the overall 10% of the project.” She wanted to work with staff on this issue and put this on a future agenda. She believed the fees charged on this permit were based on the “new construction percentages” and wanted it taken into consideration that this project was resurfacing existing roads, not constructing new roads.

COUNCILMEMBER LUIS

WELCOME TO COUNCILMEMBER HATTAN. Councilmember Luis welcomed Councilmember Hattan and congratulated Vice-Mayor Starkey on her re-election.

RESOURCE RECOVERY BOARD. Councilmember Luis stated he intended to resign from the Resource Recovery Board, and invited another Councilmember to take his place. Councilmember Hattan agreed to take his place.

MAYOR PAUL

NEW OWL SITE. Mayor Paul reported there was a new owl site on 148th and 26th, on the west side of the road, in an easement near a fence at a horse ranch.

TALLAHASSEE TRIP. Mayor Paul remarked that the trip had been “dismal” but Peter Tokar had shown off Davie very nicely. Mayor Paul had met with the secretary of transportation regarding the sound walls, and she indicated she would get her engineer in Tallahassee on the project to work with people here to develop a solution to the problem. Mayor Paul had also met with the Secretary of the Florida Agriculture and Consumer Affairs Department regarding Comcast issues, and was advised to send the last few years’ complaints to Tallahassee. Mayor Paul announced there was a link on the Town’s website to the complaint form at the Department of Agriculture and Consumer Affairs, as well as an 800 number.

HOUSE BILL 765. Mayor Paul explained this bill increased the penalty for illegal possession of horse meat to a third degree felony.

INSPECTOR GENERAL BILL. Mayor Paul said this bill required all local governments to fund the Office of Inspector General. She felt the intention was good, but this was another unfunded mandate.

COMMUNICATION WITH MR. SHIMUN. Mayor Paul said she continued to have communication issues with Mr. Shimun. She said the chain of command Mr. Shimun had instituted had resulted in residents’ requests being stalled for responses. She asked to review this with Mr. Shimun. Mayor Paul believed that a lot of misunderstanding

regarding the Palma Nova land deal could have been avoided if Mr. Shimun had communicated with her. She regarded this inability to communicate as detrimental to the smooth operation of the Town and also showed a lack of respect. Mayor Paul advised Mr. Shimun to discuss details of things that had gone on with all Council members, even when he did not anticipate something would become an issue. She stressed that she must be kept informed because people often insisted they speak to the Mayor about things.

18. TOWN ADMINISTRATOR'S COMMENTS

Mr. Shimun said they were continuing discussions with Southwest Ranches on the fire contract, and had hit a sticking point. Southwest Ranches wanted to impose monetary penalties if the Town did not respond to calls in a specified period of time 90% of the time. Fire Chief Joe Montopoli stated response times were benchmarks they tried to achieve but they did not wish to tie themselves to standards they might not be able to meet due to roadways and station placement. He said they had offered Southwest Ranches a very favorable deal that was a win-win scenario, but he believed they had hired a consultant who did not understand response times. The benchmark to which Southwest Ranches wanted to hold the Town was to respond within 6 minutes 90% of the time.

Vice-Mayor Starkey said she had heard positive feedback from officials in Southwest Ranches and suggested a meeting with Southwest Ranches and Davie officials and staff. Mr. Shimun and Chief Montopoli agreed that a workshop was a good idea. Chief Montopoli agreed to communicate with Southwest Ranches and report back to Council.

19. TOWN ATTORNEY'S COMMENTS

20. ADJOURNMENT

There being no further business to discuss and no objections, the meeting was adjourned at 9:47 p.m.

Approved _____

Mayor/Councilmember

Town Clerk